



Town of Arlington, Massachusetts
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Redevelopment Board Minutes 11/07/2011

Minutes of Monday, November 7, 7:00pm
Arlington Redevelopment Board
2nd Floor Conference Room, Town Hall Annex
Approved : January 9, 2012

Present: ~Michael Cayer, Bruce Fitzsimmons (Chairman), Andy West, Ted Fields Christine Scypinski
Others present: Senior Planner Laura Wiener, Planner Joey Glushko, Arlington resident Richard LaCroix
Mr. Fitzsimmons called the meeting to order at 7:00pm. He then introduced Arlington resident Richard LaCroix who had asked to be on the agenda to discuss the possibility of amending the zoning bylaw to allow accessory apartments. The Board and Mr. LaCroix discussed Mr. LaCroix's research on how accessory apartment are implemented in other communities, including any tax implications, parking, increased demand on inspections and enforcement and how that would be addressed, possible maximum size, the building code definition of a separate unit, and the implications of having an owner-occupancy requirement. The Board thanked Mr. LaCroix and expressed interest in continuing to consider the possibility for amending the bylaw to allow accessory apartments.

The Board then considered additional issues for possible zoning bylaw amendments including an amendment to allow the Cooke's Hollow plan to be implemented. The Board concluded that it should not be allowed by right. Regarding accessory apartments, the Board expressed concern that it would require a great deal of work and may not be possible for this upcoming warrant, since it required more research. Mr. Fitzsimmons agreed, adding that the Board should pursue it as fast as it could since it could be safer to have legal units that met building code and could create more housing opportunity.

Ms. Kowalski and Ms. Scypinski then reported on the master plan workshop they attended in Fitchburg. Ms. Kowalski distributed a copy of the slides and said she would provide internet links to the Board on the Princeton, Lincoln and Dedham master plan cases that were presented in the workshop.

The Board then reviewed the work tracking report.

Mr. West reported on the stair design detail that the Board was expecting for 30-50 Mill Street. He said he had spoken with Addie Grady and that Wood Partners would address it after the materials mock-up was approved, and the design may be limited by cost. Ms. Grady had advised Mr. West that the Board should follow up with attorney Mary Winstanley O'Connor about the stair detail.

Mr. Fitzsimmons then reported that he was pleased with progress being made on the Symmes Land Disposition Agreement discussions and there were still issues to work out. Mr. Fitzsimmons then stated that the Board needed to discuss the purchase, exchange, lease or value of real property, and that doing so in an open session may have a detrimental effect on the negotiating position of the public body, and that the Board would enter executive session.

On a motion by Mr. Cayer seconded by Mr. Fields to go into EXECUTIVE SESSION Mr. Fitzsimmons took a roll-call vote at 8:15pm: Mr. West: yes; Mr. Fields: yes; Ms. Scypinski: yes; Mr. Cayer: yes; Mr. Fitzsimmons: yes.

On advice of Town Counsel, the Board came out of Executive Session immediately to discuss an approach to negotiating. The Board decided that representatives of Jefferson Apartment Group and Upton and Partners would remain in the first floor conference room and the Chairman would leave the Board meeting in the second floor conference room to report the Board's negotiating position to the development partners in the first floor conference room.

Mr. Fields then moved to go into EXECUTIVE SESSION to discuss the purchase, exchange, lease or value of real property, and that doing so in an open session may have a detrimental effect on the negotiating position of the public body. Ms. Scypinski seconded. Mr. Fitzsimmons took a roll-call vote: Mr. West: yes; Mr. Fields: yes; Ms. Scypinski: yes; Mr. Cayer: yes; Mr. Fitzsimmons: yes.

This Executive Session ended on a roll call vote at 11:40PM on a motion by Mr. Cayer seconded by Mr. Fields. The meeting was then adjourned at 11:40pm

Respectfully submitted,
Carol Kowalski
Secretary ex Officio

Documents use: Analysis by Mr. Richard LaCroix on accessory apartment bylaws and usage in other towns.



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Having entered Executive Session following a roll call vote, the Chairman reviewed the developers concerns about latest draft. Compelling them to sell 12 condos is a problem, he reported. The ARB was accepting of changing the calendar year of payments instead of fiscal year.

Board was ok with changes to add an exhibit.

The Board then discussed its position on each. Board agreed to a change to allow the ARB to disclose the document and add "or as otherwise required by law".

Board agreed to strengthen the 5th paragraph of page 1 by adding the sentence on legally creating the 12 for-sale condominium units. To signal ultimate intention to create residential condominium community as a last sentence and removing the final paragraph of section 7.

Board agreed in page 2 of paragraph 2 to change the timing but keep the entire amount and agreed on page 3 item 4 to switch the order of the sentences and remove reference to Exhibit A.

The Board wanted assurance that the twelve condos would be created legally and marketed actively.

Mr. Cayer moved to approve the Memorandum of Understanding as presented to the Board and amended this evening, all subject to the Chairman negotiating the point on marketing the 12 townhouse condominiums and to demonstrate their marketing. Mr. Fields seconded and all voted in favor.

Mr. Cayer moved to end Executive Session, Ms. Scypinski seconded and a roll call vote was taken:
Mr. West: yes; Mr. Fields: yes; Ms. Scypinski: yes; Mr. Cayer: yes; Mr. Fitzsimmons: yes. The Executive Session ended at 11:40pm.

Respectfully submitted,
Carol Kowalski
Secretary ex Officio